

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
NORTHERN DIVISION

NO. 2:16-cr-00005-BO

UNITED STATES OF AMERICA :  
 :  
 v. :  
 :  
 SAMUEL SETH SMITHWICK :

**ORDER AND JUDGMENT OF FORFEITURE**

In the Criminal Information in the above action, the United States sought forfeiture of property of the defendant, Samuel Seth Smithwick, pursuant to 18 U.S.C. § 982 and Title 21, United States Code, Section 853, as proceeds of the unlawful activity of the defendant as charged in the Criminal Information.

The defendant pled guilty to the Criminal Information and agreed to forfeit the property listed in the Criminal Information.

By virtue of the defendant's guilty plea and agreement, the United States is now entitled to the defendant's interest in \$36,270.00 currency, pursuant to 21 U.S.C. § 853.

Accordingly, it is hereby **ORDERED, ADJUDGED AND DECREED** that:

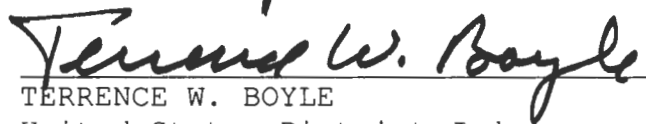
1. Based upon the defendant's guilty plea and agreement, the above-listed \$36,270.00 currency is forfeited to the United States for disposition in accordance with the law; and

2. Any and all forfeited funds shall be deposited by the U. S. Department of Justice or the U. S. Department of the Treasury, as soon as located or recovered, into the U. S. Department of Justice's Assets Forfeiture Fund or the U. S. Department of the Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

In respect to the dollar amount forfeited by the defendant but not in the possession of or its whereabouts known to the Government, JUDGMENT is hereby entered against the defendant for the amount forfeitable, specifically, \$36,270.00 currency.

In addition, upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order and Judgment of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order shall be final as to the defendant at sentencing.

SO ORDERED. This 29 day of August, 2016.

  
TERRENCE W. BOYLE  
United States District Judge